

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
CASE NO. 5:19-CV-305-D**

INDUSTRIAL, TECHNICAL, AND
PROFESSIONAL EMPLOYEES UNION,
OPEIU LOCAL 4873,

Plaintiff,

v.

ACCESS SERVICES, INC.

and

FRANKLIN JOHNSON, President

Defendants.

Case No. 5:19-CV-305-D

ORDER AND DEFAULT
JUDGMENT

AND NOW, upon consideration of Plaintiff's Motion for Default Judgment pursuant to Rule 55(b)(1) of the Federal Rules of Civil Procedure, accompanying affidavits, and any response thereto; and

IT APPEARING TO THE COURT that the Complaint and Summons in this action were duly served upon Defendant Access Services, Inc. on August 9, 2019 via personal service performed by a process server; and

IT APPEARING TO THE COURT that the Complaint and Summons in this action were duly served upon Defendant Franklin Johnson on August 10, 2019 via personal service performed by a process server; and

IT APPEARING TO THE COURT that the time in which Defendants may answer or otherwise respond to the Complaint has expired; and

IT APPEARING TO THE COURT that neither Defendant has filed a timely answer or response to the Complaint after being duly served; and

IT APPEARING TO THE COURT that neither Defendant has moved the Court for additional time to answer or otherwise respond, nor has such additional time been extended; and

IT APPEARING TO THE COURT that Plaintiff has filed affidavits providing all necessary information required by Local Rule 55.1; and

IT APPEARING TO THE COURT that the principal amount resulting from this action can be reasonably calculated as a sum certain; and

IT APPEARING TO THE COURT that Plaintiff has provided adequate information enabling the computation of interest to be calculated to the date of judgment;

NOW, THEREFORE, Plaintiff's Motion for Default Judgment is **GRANTED** and it is hereby:

ORDERED that default judgment is jointly and severally entered against Defendants Access Services, Inc. and Franklin Johnson and in favor of Plaintiff in the amount of 514 Thousand, seven Hundred seventy Dollars and 0 Cents (\$ 6,770.) including:

a. Unremitted union in the amount of Five Thousand, Two Hundred Fifty Dollars (\$5,250.00);

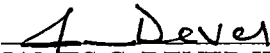
b. Prejudgment interest calculated at the rate of eight percent (8%) per annum in the amount of One Thousand, One Hundred and Twenty Eight Dollars and 33 Cents (\$ 1,128.33), pursuant to North Carolina General Statutes § 24-1; and it is further

ORDERED that interest on the above-mentioned judgment shall accrue at the rate provided by 28 U.S.C. § 1961; and it is further

ORDERED that, upon further application to the Court, Plaintiff is awarded reimbursement of all reasonable costs it incurs in the collection and enforcement of this judgment; and it is further

ORDERED that this Order and Judgment is enforceable, without duplication, by Plaintiff and its agents.

SO ORDERED. This 29 day of January, 2020.



JAMES C. DEVER III
United States District Judge